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**Date:** December 11, 2008

**To:** Commissioner for Patents  
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**Fax:** 571-273-8300

**From:** Janice V. Rice, Reg. No. 50,606  
**Company:** Exelixis, Inc.  
**Phone:** 650-837-7553  
**Fax:** 650-837-8234

**Subject:** U.S. Patent Application 10/522,004  
Entitled: Receptor-Type Kinase Modulators And Methods Of Use

**Attorney**  
**Docket No.:** EX03-054C-US

**Total number of pages including cover sheet: 4**

Please note that December 16<sup>th</sup> was misidentified as Thursday on the initial fax. It should have been identified as Tuesday, December 16<sup>th</sup>, 2008. I apologize for any inconvenience that this mistake may have caused. The interview is requested for Tuesday, December 16<sup>th</sup>. Thank you.

**OFFICIAL DOCUMENTS:**

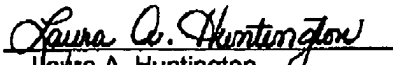
The following documents are attached for the above-referenced patent application:

1) Fax Cover sheet	1 page.
2) Transmittal Form	1 page.
3) Applicant Initiated Interview Request Form	2 pages.
<b>Total 4 pages</b>	

\*\*\*\*\*  
**Certificate of Transmission under 37 CFR 1.8**

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Laura A. Huntington

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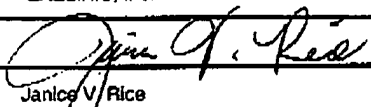
PTO/SB/21 (09-08)

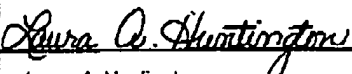
Approved for use through 10/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  (to be used for all correspondence after initial filing)	Application Number	10329004	
	Filing Date	(371(c)) Date: April 11, 2006	
	First Named Inventor	Kenneth D. RICE	
	Art Unit	1624	
	Examiner Name	Jeffrey H. MURRAY	
Total Number of Pages In This Submission	--3--	Attorney Docket Number	EX03-054C-US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Applicant Initiated Interview Request Form (PTOL-413A) --2 sheets.
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	EXELIXIS, Inc.		
Signature			
Printed name	Janice V. Rice		
Date	December 11, 2008	Reg. No.	50,606

CERTIFICATE OF TRANSMISSION/MAILING	
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:	
Signature	
Typed or printed name	Laura A. Huntington
Date	December 11, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

## Applicant Initiated Interview Request Form

*Continuation Sheet*  
*Page 2*

Application No.: 10/522,004 First Named Applicant: Kenneth D. RICE  
 Examiner: Jeffrey H. MURRAY Art Unit: 1624 Status of Application: Pending-AF

### Tentative Participants:

- (1) Janice V. Rice (2) Jeffrey H. Murray  
 (3) Michael S. Greenfield (4) James O. Wilson

Proposed Date of Interview: Tuesday, 8 AM 12/16/08 Proposed Time: 1:00 EST AM/PM PM

### Type of Interview Requested:

- (1) ☒ Telephonic (2) ☐ Personal (3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated:

☐ YES ☒ NO

If yes, provide brief description: \_\_\_\_\_

### Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Obj.-Non Elected - SM	<u>79, 84, 89, 113-120, 140, 162, 155</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Election/Restrict	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) 112 Rejections	<u>67, 69, 71, 73, 76, 77, 79, 81-84, 86-92, 94-99, 113, 114, 116-120, 137- 150, 152, 155</u>	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4) _____	_____	_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Continuation Sheet Attached

### Brief Description of Argument to be Presented:

group. 3) The Applicants will request clarification of the grounds for the enablement rejection.

An interview was conducted on the above-identified application on \_\_\_\_\_

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Janice V. Rice  
 Applicant/Applicant's Representative Signature

Janice V. Rice

Typed/Printed Name of Applicant or Representative  
 50,606

Registration Number, if applicable

\_\_\_\_\_  
 Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 132 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

DEC 11 2008

P. 04/04

PTOL-413A (11-08)

Approved for use through 12/31/2008. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

## Applicant Initiated Interview Request Form

Application No.: 10/522,004

First Named Applicant: Kenneth D. RICE

Examiner: Jeffrey H. MURRAY

Art Unit: 1624

Status of Application: Pending-AF

## Tentative Participants:

(1) Janice V. Rice

(2) Jeffrey H. Murray

(3) Michael S. Greenfield

(4) James O. Wilson

Proposed Date of Interview: Tuesday 12/11/08 2:44 PM  
Thursday, Dec. 16, 2008

Proposed Time: 1:00 EST AM/PM

## Type of Interview Requested:

(1) ☒ Telephonic(2) ☐ Personal(3) ☐ Video Conference

Exhibit To Be Shown or Demonstrated:

☐ YES☒ NO

If yes, provide brief description:

## Issues To Be Discussed

Issues (Rej., Obj., etc)	Claims/ Fig. #s	Prior Art	Discussed	Agreed	Not Agreed
(1) Obj.-Non Elected SM	79, 84, 89, 113-120, 140, 152, 155		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(2) Election/Restrict			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(3) 112 Rejections	67, 69, 71, 73, 76, 77, 79, 81-84, 86-92, 94-97, 113, 114, 116-120, 137-150, 152, 155		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
(4)			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☒ Continuation Sheet Attached

## Brief Description of Argument to be Presented:

1) The Examiner rejoined Restriction Groups VI - X in the March 31, 2008 Office Action (page 3) and the current claims

are limited to Groups VI - X. 2) Certain compounds (entries 88, 81, 441, 442, 448, in Table 1 of the application) and intermediates (claims 123 and 124) do not fall within the scope of Formula I and therefore do fall within any restriction

An interview was conducted on the above-identified application on

NOTE: This form should be completed by applicant and submitted to the examiner in advance of the interview (see MPEP § 713.01).

This application will not be delayed from issue because of applicant's failure to submit a written record of this interview. Therefore, applicant is advised to file a statement of the substance of this interview (37 CFR 1.133(b)) as soon as possible.

Applicant/Applicant's Representative Signature

Janice V. Rice

Typed/Printed Name of Applicant or Representative

50,606

Registration Number, if applicable

Examiner/SPE Signature

This collection of information is required by 37 CFR 1.133. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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